(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 199 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. D. P. Bhise, advocate for the petitioner.

Mr. A.N.S. Nadkarni, Advocate General with Mr. P.A. Kamat, Government Advocate for respondent nos.1 and 2.

Mr. G. K. Srdessai, advocate for respondent nos.3 and 4.

CORAM : P. V. HARDAS &
N. A. BRITTO, JJ.

DATE : 23rd August, 2004

P.C.:

Heard Mr. D. P. Bhise, learned counsel for the petitioner, Mr. A.N.S. Nadkarni, learned Advocate General on behalf of respondent nos. 1 and 2 and Mr. G. K. Sardessai, learned counsel on behalf of respondent nos.3 and 4.

2. By this petition, the petitioner impugns the order dated 25th October, 2001, promoting respondent no.4 to the post of Headmistress of respondent no.3

school. The petitioner had earlier filed Writ Petition No.87 of 2004, which was dismissed as withdrawn on 8th March, 2004, with liberty to the petitioner to file a petition afresh and hence this petition.

3. At paragraph 9 of the petition, the petitioner has stated that despite making oral representations before the Management, th petitioner was given to understand that the appointment of the respondent no.4 was purely on ad-hoc basis. This part of the fact of the petitioner making oral representations and he being given to understand by the third respondent that the appointment of respondent no.4 was on ad-hoc basis, has been denied at paragraph 17 of the reply filed on behalf of the third respondent. According to the petitioner, the representation which is first in the point of time was made sometime in November, 2003. Prior to that the petitioner had not

made any representation, nor had he challenged the promotion of the respondent no.4.

4. The petition suffers from enormous delay and laches and as such, we do not propose to interfere in the extraordinary jurisdiction of this Court. The petition is accordingly dismissed with no order as to costs.

P. V. HARDAS, J.

N. A. BRITTO, J.

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